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11 Attorneys for Defendant  
7-ELEVEN, INC.

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF CALIFORNIA**

16 KIMBERLY ALEKSICK,  
17 individually and on behalf of other  
members of the general public  
similarly situated,

**Plaintiffs,**

V.

20  
21 7-ELEVEN, INC., a Texas  
22 Corporation, MICHAEL TUCKER;  
an individual; and DOES 1-50,  
Inclusive.

### Defendants.

CASE NO. 08 CV 0059 J (WMc)  
The Hon. Napoleon A. Jones, Jr.

**DECLARATION OF ERIC A.  
WELTER**

Hearing Date: March 3, 2008  
Time: 8:30 a.m.  
Courtroom: 12  
Judge: Hon. Napoleon A. Jones,  
Jr.

26 I, Eric A. Welter, declare:

27       1. I am a shareholder with Welter Law Firm, P.C. I was counsel for  
28 Defendant 7-Eleven, Inc. in this matter in state court prior to removal *pro hac vice*.

1 I am licensed to practice law in the Commonwealth of Virginia and have applied  
2 for admission to practice in this case *pro hac vice*. I have personal knowledge of  
3 the facts set forth in this Declaration and would be competent to testify to them, if  
4 called upon to do so.

5 2. Attached as Exhibit A is a true and correct copy of the franchise  
6 agreement between 7-Eleven, Inc. and Michael Tucker dated March 13, 2004, for  
7 7-Eleven Store No. 22818. An excerpt from this document is attached to  
8 Plaintiff's First Amended Complaint.

9 I declare under penalty of perjury that the foregoing is true and correct.

10 Executed this 1<sup>st</sup> day of February, 2008, at Herndon, Virginia.

11  
12 /s/ Eric A. Welter

13 Eric A. Welter